

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARVIN WASHINGTON, et al.,

Plaintiffs,

-v-

JEFFERSON BEAUREGARD SESSIONS, III,  
et al.,

Defendants.

17 Civ. 5625 (AKH)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss, Defendants the United States of America; Jefferson B. Sessions, III, in his official capacity as Attorney General of the United States; the United States Department of Justice; Robert W. Patterson,<sup>1</sup> in his official capacity as the Acting Administrator of the Drug Enforcement Administration ("DEA"); and the DEA (collectively, "Defendants"), hereby move this Court for an order dismissing the Amended Complaint pursuant to Rules 8, 12(b)(1), and 12(b)(6) of the Federal Rules of Civil Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's order dated September 20, 2017, Plaintiffs' opposition must be filed by November 3, 2017, and Defendants' reply must be filed by November 15, 2017. Dkt. No. 33.

---

<sup>1</sup> Pursuant to Fed. R. Civ. P. 25(d), Robert W. Patterson, in his official capacity as Acting Administrator of the DEA, is automatically substituted as a defendant for Charles Rosenberg.

Dated: October 13, 2017  
New York, New York

JOON H. KIM  
Acting United States Attorney for the  
Southern District of New York  
*Attorney for the Defendants*

By: /s/ Samuel Dolinger  
SAMUEL DOLINGER  
REBECCA S. TINIO  
Assistant United States Attorneys  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel.: (212) 637-2677/2774  
E-mail: samuel.dolinger@usdoj.gov  
rebecca.tinio@usdoj.gov